

Jan. 21. 2009 8:12PM KUBOVCIK & KUBOVCIK

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/576,299 Confirmation No. 4456
Applicant : Motoshige SUMINO et al.
Filed : April 19, 2006
TC/A.U. : 1621.
Examiner : Chukwuma O. Nwaonicha
Dkt. No. : WKP-003
Cust. No. : 20374

I hereby certify that this paper is being
facsimile transmitted on January 21, 2009, to
the United States Patent and Trademark Office
to facsimile number (571)273-8300.

01/23/2009 HMARZI1 00000034 10576299

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Ronald J. Kubovcik

NOTICE OF APPEAL

Mail Stop AF
To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 21, 2009

Sir:

Applicants hereby appeal to the Board of Patent Appeals and
Interferences from the decision dated July 21, 2008, of the Primary
Examiner finally rejecting claims 1-8 and 10.

The items checked below are appropriate:

1. A petition for an extension of time to respond to the final

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U.S. Patent Appln. S.N. 10/576,299
NOTICE OF APPEAL

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rejection was filed on January 21, 2009, for a third month.

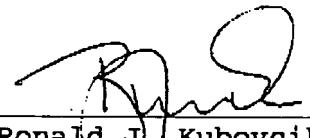
2. XX A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.

3. XX Fee \$ 540.00 or Small Entity \$255.00

XX Enclosed (as part of PTO-2038 for \$1,160.00)

 Not required (fee paid in prior appeal)

In the event this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 111833, along with any other additional fees which may be required with respect to this paper.



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Reg. No. 25,401

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